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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 4895/2025 & CRL.M.A. 21209/2025**

VISHAL NATANI AND ORS

.....Petitioners

Through: Ms. Meenakshi Joshi, Advocate for P-1 to 4.
P-1 to 3 in person.
P-4 through VC.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Mukesh Kumar, APP for State.
IO present.
Mr. Ajit Dayal, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **24.07.2025**

1. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks quashing of FIR No. 24/2020 dated 20th January, 2020, registered under Sections 420, 467, 468, 471, 120B and 34 of the Indian Penal Code, 1860³ at P.S. Amar Colony, Delhi and all consequential proceedings emanating therefrom.

2. Briefly stated, the case of prosecution is based on a complaint filed by Hemlata Natani (the Complainant/Respondent No. 2) against her husband Vishal Natani (Petitioner No. 1), with whom she has a daughter, and his

¹ "BNSS"

² "CrPC"



close associates, namely Dipak Chaurasia, Shyam Behari Natani, and Rajendra Prasad Chaurasia (Petitioner Nos. 2 to 4). It is alleged that the Petitioners, in collusion with unknown bank officials, committed offences of cheating, forgery, and criminal conspiracy by falsely projecting Respondent No. 2 as a partner in a firm named 'Power AMR Solutions' without her knowledge or consent. It is alleged that the Petitioners forged her signatures on partnership deeds, bank documents, income tax returns, and PAN applications to open bank accounts, secure contracts, particularly from BSES Rajdhani Power and BSES Yamuna Power, and carry out business transactions in her name. Respondent No. 2 further alleged that Petitioner No. 1, while serving as General Manager (EMG) at BSES Rajdhani Power, misused his official position to secure contracts for the said company, thereby causing loss to public institutions. In light of the foregoing, the relationship between Petitioner No. 1 and Respondent No. 2 deteriorated and they started living separately. Based on Respondent No. 2's complaint, the impugned FIR was registered on 20th January, 2020 at P.S. Amar Colony.

3. The parties have stated that they have amicably resolved their disputes and, in furtherance thereof, have entered into a Settlement Deed dated 3rd July, 2023. As per the terms of the settlement, the parties have agreed to withdraw all the proceedings pending before various courts. Furthermore, Petitioner No. 1 and Respondent No. 2 have agreed to reside together again.

4. A copy of the Settlement Deed has been placed on record and perused by the Court. As per its terms, Respondent No. 2 has mutually resolved all disputes and differences with the Petitioners and has agreed to voluntarily give her no objection to the quashing of the impugned FIR. In light of the

³ "IPC"



foregoing, the parties jointly pray for the quashing of the impugned FIR and all proceedings emanating therefrom.

5. Respondent No. 2, who has appeared before the Court, has unequivocally stated that she does not wish to pursue the FIR proceedings. She has confirmed that her decision to settle the matter is voluntary and made without any undue influence or coercion.

6. The Court has considered the submissions of the parties. While the offences under Sections 467, 468 and 471 of IPC are non-compoundable, the offence under Section 420 of IPC is compoundable. It is well settled that in the exercise of its inherent powers under Section 482 of CrPC (corresponding to Section 528 of BNSS), the Court may, in appropriate cases, quash proceedings in respect of non-compoundable offences if the parties have reached a genuine settlement and no overarching public interest is adversely affected. The Supreme Court in **Gian Singh v. State of Punjab & Anr.**⁴ has held as follows:

“11. As discussed above, offence punishable under Section 186/332/353 of the IPC are non-compoundable being of serious nature, however, if the Court feels that continuation of criminal proceedings will be an exercise in futility and justice in this case demands that the dispute between the parties is put to an end and peace is restored, it can order for quashing of the FIR or criminal proceedings as it is the duty of the Court to prevent continuation of unnecessary judicial process.

12. In view of the law discussed above, considering the Settlement arrived at between the parties and the statements of respondent no.1 & 2, I am of the considered opinion that this matter deserves to be given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility.”

[Emphasis added]

7. Further, in **Narinder Singh & Ors. v. State of Punjab & Anr.**,⁵ the

⁴ (2012) 10 SCC 303

⁵ (2014) 6 SCC 466



Supreme Court held as follows:

“29. In view of the aforesaid discussion, we sum up and lay down the following principles by which the High Court would be guided in giving adequate treatment to the settlement between the parties and exercising its power under Section 482 of the Code while accepting the settlement and quashing the proceedings or refusing to accept the settlement with direction to continue with the criminal proceedings:

29.1. Power conferred under Section 482 of the Code is to be distinguished from the power which lies in the Court to compound the offences under Section 320 of the Code. **No doubt, under Section 482 of the Code, the High Court has inherent power to quash the criminal proceedings even in those cases which are not compoundable, where the parties have settled the matter between themselves.** However, this power is to be exercised sparingly and with caution.

29.2. **When the parties have reached the settlement and on that basis petition for quashing the criminal proceedings is filed, the guiding factor in such cases would be to secure:**

(i) ends of justice, or

(ii) to prevent abuse of the process of any court.

While exercising the power the High Court is to form an opinion on either of the aforesaid two objectives.

29.3. Such a power is not to be exercised in those prosecutions which involve heinous and serious offences of mental depravity or offences like murder, rape, dacoity, etc. Such offences are not private in nature and have a serious impact on society. Similarly, for the offences alleged to have been committed under special statute like the Prevention of Corruption Act or the offences committed by public servants while working in that capacity are not to be quashed merely on the basis of compromise between the victim and the offender.

29.4. On the other hand, those criminal cases having overwhelmingly and predominantly civil character, particularly those arising out of commercial transactions or arising out of matrimonial relationship or family disputes should be quashed when the parties have resolved their entire disputes among themselves.

29.5. While exercising its powers, the High Court is to examine as to whether the possibility of conviction is remote and bleak and continuation of criminal cases would put the accused to great oppression and prejudice and extreme injustice would be caused to him by not quashing the criminal cases.”

[Emphasis Supplied]

8. Although the offences alleged in the present case cannot be treated as strictly ‘in personam’, and they touch upon public concerns rather than



being confined to individual grievances, the Court must also account for the practical realities of securing a conviction in the present case. The Supreme Court has consistently held that in cases where the complainant has entered into a voluntary and *bona fide* settlement, and is no longer inclined to support the prosecution, the prospect of securing a conviction becomes exceedingly remote. In such circumstances, continuing the prosecution may not only prove futile, but would also serve no worthwhile public interest.

9. In the present proceedings, Respondent No. 2 has categorically expressed her unwillingness to pursue the matter further and has confirmed the settlement as voluntary and devoid of any coercion. Further, she has agreed to reside together with Petitioner No. 1. Given this background, the continuation of the criminal proceedings would amount to an empty formality, adding to the burden of the justice system and consuming public resources unnecessarily. Having regard to the totality of circumstances, and in view of the legal principles laid down by the Supreme Court, this Court finds the present case to be an appropriate one for exercise of jurisdiction under Section 528 of BNSS (corresponding to Section 482 of CrPC) to secure the ends of justice.

10. In view of the foregoing, the present petition is allowed and the impugned FIR No. 24/2020 dated 20th January, 2020, registered under Sections 420, 467, 468, 471, 120B and 34 of IPC at P.S. Amar Colony, Delhi and all consequential proceedings emanating therefrom are hereby quashed.

11. However, given that the state machinery was put to use, the ends of justice will be served if the parties involved in the impugned FIR are put to cost. Accordingly, the parties are directed to deposit a consolidated sum of



INR 25,000/- with the Delhi Police Welfare Fund. Proof of payment to be furnished to the concerned Investigating Officer.

12. The parties shall remain bound by the terms of settlement.

13. It is clarified that the settlement shall not impact the rights of the minor child.

14. Accordingly, the petition is disposed of along with pending application(s).

SANJEEV NARULA, J

JULY 24, 2025

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